

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

CECIL KOGER,)
Plaintiff,) Case No. 4:17-CV-02409
v.) Judge Benita Y. Pearson
DIRECTOR GARY MOHR, et al.,)
Defendants.)

JOINT STIPULATIONS OF FACT

1. Plaintiff Cecil Koger is an inmate at Richland Correctional Institute (“RiCI”).
2. RiCI is a correctional facility managed by and subject to the policies promulgated by ODRC and its supervisory personnel
3. The Director of ODRC has the authority to manage, direct, and establish rules and regulations for the various institutions of ODRC, including RiCI, as well as the departments responsible for creating both grooming and religious-accommodation policies. OHIO REV. CODE § 5120.01.
4. Defendant Michael Davis is the Religious Services Administrator at ODRC.
5. Defendant Davis has been the Religious Services Administrator of ODRC since 2014. In that capacity, he has been responsible for enforcing ODRC’s religious-services policies and making all final decisions on appeals of religious-accommodation requests made by inmates housed in ODRC facilities, including RiCI. ODRC 72-REG-02.
6. ODRC’s policy on Institutional Religious Services states that it is departmental policy “to ensure that inmates, who wish to do so, may subscribe to any religious belief they choose.” The policy recognizes that an inmate’s “religious practices, as opposed to belief, may be subject to reasonable . . . restrictions.” ODRC 72-REG-01(V).

7. ODRC officially recognizes and maintains policies specific to individual religions to guide staff members in “providing for the religious activities and practices of inmates . . .” ODRC 72-REG-03(II).
8. ODRC currently maintains faith-specific policies for members of nine ODRC-recognized faiths: Protestant, Jewish, Muslim, Roman Catholic Orthodox, Jehovah Witness, Buddhist, Native American, Wiccan, and Asatru.
9. The faith-specific policies provide detailed guidance for ODRC staff on the tenets and practices of each religion.
10. The faith-specific policies list “generally approved accommodations for qualified inmates wishing to practice the subject faith.”
11. Each faith-specific policy contains a “Procedures” section that establishes ODRC-approved accommodations related to congregate services, religious articles, group study, individual religious exercise, religious property for individual observance, major holidays, work proscriptions, diet, and medical treatment.
12. The faith-specific policies serve both to permit inmate practitioners to exercise the identified faiths and to educate ODRC staff on the tenets of the faiths to improve staff’s management of religious activities and practices.

Respectfully submitted,

/s/ Andrew Geronimo

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Trial Counsel for Defendants

CERTIFICATE OF SERVICE

On July 7, 2021 I filed the foregoing electronically. The Court's electronic filing system will send notice of this filing to all parties indicated on the electronic filing receipt. Parties may access this filing through the Court's system.

*/s/ Andrew C. Geronimo
One of the Attorneys for Plaintiff Cecil Koger*